



4-14-05

8711647

PATENT APPLICATION

| FEE AUTHORIZATION / AMENDMENT TRANSMITTAL | | | | Attorney's Docket No: A-451J | | | |
|--|--|-------------------------------------|---|--|-------------|--------------------------|-----------|
| Serial No. 09/211,315 | Filing Date December 14, 1998 | Examiner Nichols, Christopher J. | Group Art Unit 1647 | | | | |
| In Re Application of: William J. Boyle | | | | | | | |
| For: Osteoprotegerin Binding Proteins | | | | | | | |
| TO THE COMMISSIONER FOR PATENTS: | | | | | | | |
| <input checked="" type="checkbox"/> Applicant(s) request(s) the following extension of time under 37 CFR 1.136(a): | | | | | | | |
| <input type="checkbox"/> One month of original due date (\$120.00) | | | | | | | |
| <input type="checkbox"/> Two months of original due date (\$450.00) | | | | | | | |
| <input checked="" type="checkbox"/> Three months of original due date (\$1,020.00) | | | | | | | |
| <input type="checkbox"/> Four months of original due date (\$1,590.00) | | | | | | | |
| <input type="checkbox"/> Five months of original due date (\$2,160.00) | | | | | | | |
| <input checked="" type="checkbox"/> A response in connection with the matter for which this extension is requested: | | | | | | | |
| <input checked="" type="checkbox"/> is filed herewith. | | | | | | | |
| <input type="checkbox"/> has been filed. | | | | | | | |
| <input type="checkbox"/> The response is the filing of a continuing application, the prior application having an express abandonment conditioned on the granting of a filing date to the continuing application. | | | | | | | |
| <input type="checkbox"/> The accompanying papers include amended claims for which no additional fee is required. | | | | | | | |
| <input type="checkbox"/> The accompanying papers include amended claims the fee for which has been calculated as follows: | | | | | | | |
| CLAIMS AS AMENDED | | | | | | | |
| (1) | (2) Claims remaining After amendment | (3) | (4) Highest number Previously paid for | (5) No. of Extra claims present | (6) Rate | (7) Additional Fee | |
| Total Claims | | Minus | = | 0 | x \$50 | = \$ 0.00 | |
| Indep. Claims | | Minus | = | 0 | x \$200 | = \$ 0.00 | |
| <input type="checkbox"/> First Appearance of a multiple dependent claim | | | | | + | \$360 | = \$ 0.00 |
| Total Additional Fee for this Amendment | | | | | | \$ 0.00 | |
| * If the entry in column 2 is less than the entry in column 4, write "0" in column 5. | | | | | | | |
| ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space. | | | | | | | |
| *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space. | | | | | | | |
| The "Highest No. Previously Paid For" (Total or Indep.) is the highest number found in the appropriate box in Col 1. of a prior amendment or the number of claims originally filed. | | | | | | | |
| <input type="checkbox"/> The following other fees are incurred by the accompanying papers. | | | | | | | |
| <input type="checkbox"/> Other: _____ | | | | | | | |
| <input checked="" type="checkbox"/> Please charge Deposit Account No. 01-0519 in the name of Amgen Inc. in the amount of \$1,020.00. A duplicate copy of this petition is attached. | | | | | | | |
| <input checked="" type="checkbox"/> If an additional extension of time is required, please consider this a request therefore. | | | | | | | |
| <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees, which may be required by the accompanying papers, or credit any overpayment to Deposit Account No. 01-0519. | | | | | | | |
| Please Send Future Correspondence To: | | | | | | | |
| 21069 | | | | | | | |
| U.S. Patent Operations/RBW Dept. 4300, M/S 27-4-A AMGEN INC. One Amgen Center Drive Thousand Oaks, California 91320-1799, USA | | | | Robert B. Winter Attorney/Agent for Applicant(s) Registration No.: 34,458 Phone: (805) 447-2425 Date: April 12, 2005 | | | |

04/14/2005 CCHAU1 00000001 010519 09211315

01 FC:1253 1020.00 DA

EXPRESS MAIL CERTIFICATE

"Express Mail" mail labeling number:

EV 351337078 US

Date of Deposit: April 12, 2005

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

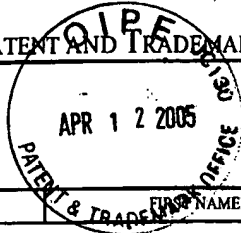
Nola J. Diamond

Printed Name

Signature



UNITED STATES PATENT AND TRADEMARK OFFICE



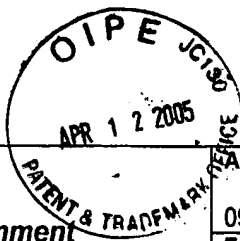
UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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Alexandria, Virginia 22313-1450
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EXHIBIT A

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 09/079,569 | 05/14/1998 | WILLIAM J. BOYLE | A-451H | 8492 |
| 21069 | 7590 | 12/29/2004 | EXAMINER | |
| AMGEN INC. MAIL STOP 274-A ONE AMGEN CENTER DRIVE THOUSAND OAKS, CA 91320-1799 | | | LE, EMILY M | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 1648 | |

DATE MAILED: 12/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.



Notice of Abandonment

Application No.

09/079,569

Examiner

Emily Le

Applicant(s)

BOYLE, WILLIAM J.

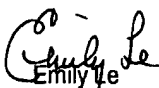
Art Unit

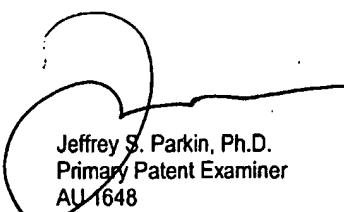
1648

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

This application is abandoned in view of:

1. ☒ Applicant's failure to timely file a proper reply to the Office letter mailed on 06/15/2004.
 - (a) ☐ A reply was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on _____.
 - (b) ☐ A proposed reply was received on _____, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection.
(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
 - (c) ☐ A reply was received on _____ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
 - (d) ☒ No reply has been received.
2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
 - (a) ☐ The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
 - (b) ☐ The submitted fee of \$_____ is insufficient. A balance of \$_____ is due.
The issue fee required by 37 CFR 1.18 is \$_____. The publication fee, if required by 37 CFR 1.18(d), is \$_____.
 - (c) ☐ The issue fee and publication fee, if applicable, has not been received.
3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
 - (a) ☐ Proposed corrected drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.
 - (b) ☐ No corrected drawings have been received.
4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. ☐ The decision by the Board of Patent Appeals and Interference rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. ☐ The reason(s) below:


Emily Le


Jeffrey S. Parkin, Ph.D.
Primary Patent Examiner
AU 1648

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.